

## SCALPERS DISTURBED

## Becoming Alarmed Over the Movement to Kill Their Business.

## The Bill to Make Ticket Brokerage a Punishable Offense Strongly Advocated by Passenger Agents.

Despite the denial by the scalpers that they are disturbed over the movement in Congress looking to the passage of a bill to break up all ticket brokerage in the country, there is evidence that nothing has become come up which they so much feared, and that the bill is meeting with so hearty support by the general passenger agents all over the country gives more ground for the scalpers' uneasiness. The greatest difficulty of the general passenger agents is meeting this scalping question. The bill which has been introduced in Congress so amends the interstate-commerce act as to require that all the railroads give certificates to their agents authorizing them to sell tickets and requiring that these certificates shall be placed in the hands of the passenger agents, where all the purchasers can see them. All tickets sold must have the name of the agent and the date stamped on them. It is made unlawful for anyone to sell a ticket for a road from which he has no such certificate as chairman of the committee on commerce and manufactures, the bill requires that all unused tickets if presented within ninety days after they were issued, shall be a violation of the act. Railroads which place tickets in the hands of unauthorized agents for sale are made liable to a fine of \$5,000. The law, if passed, as it is thought it will, would tend to keep down all manner of "faking" in the ticket-scalping business. A general passenger agent, who warmly advocates the passage of the bill by Congress, has said that he knows how the average railroad is struggling to keep out of the chain of bankruptcy which has been brought about by the profit, thus beating the company out of the money that was really coming to it.

## Receiver's Report.

T. F. Oakes, H. C. Rouse and Henry C. Payne, receivers of the Northern Pacific Railroad Company, have issued a statement showing the earnings and expenditures of the road from the date of the receivership, Aug. 18, till Dec. 31. The gross earnings of the road from Aug. 18 to Dec. 31 amounted to \$7,455,000, and the operating expenses reached \$4,757,307, making the net earnings \$2,697,693. The accrued charges during the period mentioned were \$2,357,704, leaving a balance of \$1,339,989.

**Personal, Local and General Notes.**  
J. J. Stevenson has been appointed agent of the Vandalla at Paris, Ill., on the Peoria division.

Vice President Howard, of the American Railway Union, is now in Maryland organizing branches.

H. H. Felton, general freight agent of the Chicago & Erie, was in the city yesterday on official business.

William R. McKee, president of the Vandalla, continues to improve, and is arranging to go to Florida for a couple of weeks.

G. T. White has been appointed agent of the Vandalla at New Milford, taking the place of George Baker, transferred to Morton, Ill.

Charles Reagan, the veteran roadmaster on the St. Louis division, has been nominated by the Democrats of Floyd county for auditor.

Charles Emery has been appointed agent of the Chicago & Erie at Winfield, Ind., vice J. M. Fredericks, transferred to a more important position.

The new time schedule on the Panhandle lines and the taking off of trains on some divisions has set back a number of conductors to breakers.

The district passenger agency of the Pennsylvania lines at Atlantic City has been abolished and the agents, who were transferred to Washington.

Robert Eble, formerly general superintendent of the Big Four lines, was in the city yesterday on official business, and he goes for two weeks every spring.

The Vandalla people are making a survey on the Michigan division to cut through the hill at which the latter was a wash bend, doing away with a long curve.

On the last of next month the entire division department of the Chicago & Rock Island road, which was for the last five years located at Joliet, goes to Bureau.

George Bradbury, general manager, and H. G. Parker, traffic manager, of the Erie & Western, who have been off since Monday in Peoria and Chicago, returned yesterday.

O. P. McCarthy, general passenger agent of the Baltimore & Ohio southwestern, is in New York, accompanied by Charles Scull, general passenger agent of the Baltimore & Ohio road.

J. C. Riley, formerly chief clerk of Charles Nelson, when the latter was general superintendent of the Cincinnati, Hamilton & Dayton, was in the city yesterday, calling on old friends.

The freight committee of the Central Traffic Association met at Chicago, yesterday, and adjusted a few routine matters regarding commodity rates. Nothing of importance was done.

The Panhandle is hauling large numbers of empty cars to California, and is expected to move grain they have contracted to carry to the seaboard, on which it is alleged, the road is shading rates.

Capt. J. G. Gramma returned to New York yesterday. His most intimate friends were unable to get anything of importance from him regarding the Big Four and Chicago & Eastern Illinois deal.

The business of the Big Four and the Panhandle lines at Anderson, Ind., has increased in percentage to many, and yesterday, with the partial starting up of several of the manufacturers.

J. J. Gray, general manager of the Santa Fe lines, who has been South for a month, has returned improved in health. He emphatically denies that anything in the rumor that he is to resign.

John G. Williams, vice president and general manager of the Vandalla lines, and other subordinate officials, yesterday inspected the Carondelet branch, recently added to the Vandalla system.

A dressed-meat train Tuesday last was hauled over the Big Four from St. Louis to Indianapolis in a little less than twelve hours, which is high speed for a freight train, after necessary stops have been taken out.

The Northwestern denies that it is or has been cutting any California rates. The Union Pacific has already denied the same thing, and yet tickets to California over both lines at cut rates have been purchased at Chicago.

A. J. Ball, who on Wednesday retired as master mechanic of the Columbus, Shawnee & Hocking road, was that evening presented with an elegant silver service by the employees, and his wife with an elaborately finished rocking chair.

It is probable that the Indiana, Illinois & Iowa will this year be extended from Knox to Michigan City, via Hamlet, North Liberty and Walkerton. A surveying party

## POOL ROOM IGNORED

## No Indictments Against the Tron Crowd Announced Yesterday.

## Booth Bell, General Villain, Must Answer on Two Charges—An Appealed Liquor Case Is Continued.

The grand jury, in reporting indictments to the Criminal Court yesterday, failed to return indictments against the managers of the Tron pool room. It is therefore presumed that no indictment will be found against the men. The jury had evidence that the pool room was in full blast, in open defiance of the law. For months this establishment has been running under the very eyes of the law. Grand juries have met and have been dismissed without a word of instruction regarding this class of lawbreaking. During the last session of the jury the report became so notorious that the city officials attempted to take the prosecution in hand, and a number of witnesses were sent before the grand jury prepared to tell what they knew of the disreputable class of gambling carried on in one of Tron's back rooms. One of these witnesses was Joe Foppiano, a young man who for years was connected with the pool room. Foppiano received a peremptory dismissal from the place after the city election, he says, because he voted the Republican ticket. The proprietor realized that a Republican administration would undoubtedly prove inimical to his unlawful manner of doing business.

Foppiano was thoroughly conversant with the character of the gambling room in which he had been long employed, and no doubt clearly explained to the jury the character of the place. So far as the actual violation of the law is concerned, the leave resort is not far removed from the Roby road track. But the evidence given by competent witnesses, it seems, has been coolly overlooked. In the very face of an alleged investigation, the jury took no notice of the advertisement of the vicious resort. All afternoon pools are sold on the principal streets, and race tracks in the country.

The judge of the Criminal Court and the prosecutor of the county, with an apparent view to the contempt of the law, quietly sit down and hear a few minor charges, while the pool room is allowed to continue its business.

Deputy Prosecutor Cox was asked, after the grand jury had reported, if any indictments were returned in the pool room case. Sometimes, said he, indictments are returned against public places where no arrests have been made. There was no particular significance, however, to Mr. Cox's reply.

**CLING TO HER FATHER.**  
Nellie McBride Changes Her Evidence to the Court's Surprise.

Riley McBride, indicted by the grand jury for subjecting his daughter Nellie to revolting treatment, was brought into the Criminal Court yesterday morning for trial.

McBride was arrested at the instance of the girl Nellie, who testified to brutal treatment before the grand jury. As the prosecuting witness in the case she was placed on the stand and asked to recite the story of her wrongs. To the great indignation of the court and the disgust of the prosecutor, she declared positively that the father was innocent of any wrong. Judge Cox immediately ordered her arrested and taken to jail pending an investigation of the charges of perjury which was placed against her. The girl is sixteen years old.

**Krook Sues for Damages.**  
Ephraim Krook yesterday began an action against the Citizens' Street-railroad Company to recover \$20,000 damages for injuries to his son, Isadore Krook, aged eleven years. The suit recalls a distressing street-car accident that occurred July 18, 1893, at the corner of Pennsylvania and Washington streets, when Isadore Krook, a boy of eleven years, attempted to cross the track in front of an approaching car. Isaac, his brother, was fatally injured. It is alleged by the plaintiff that the car was not stopped and that it was through the negligence of those in charge of the car that the boy was killed. The case is being tried by Judge J. W. Hubbard.

**Grand Jury Indictments.**  
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William Donley, petit larceny; Daniel Day, petit larceny; Frank Price, grand larceny; Andrew Rogers, petit larceny; Charles W. Booth Bell, having obscene literature in possession and criminal assault; Lorenza Shaw, petit larceny; John Stewart, grand larceny; George Miller, receiving stolen goods; John Carroll, robbery; Henry Wilson, petit larceny; Charles and Peter Garberson, petit larceny; Nellie McBride, perjury; Harry Brandon, petit larceny.

**Appealed Liquor Cases.**  
The case of the State against George Keene, for open violation of the liquor ordinance, should have been tried in the Criminal Court yesterday, but was postponed on account of an error in the papers. The case was argued before Judge Cox yesterday, and the grand jury was asked to return an indictment against Keene. The case was set down for trial.

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Daniel W. Fitch, in a complaint filed against Emma Fitch in the Superior Court, shows that the relations as husband and wife existing between the two are strained. The complaint alleges, was brought about by the continuous abuse of the defendant. Her husband alleges that she heard and scoffed at him and repeatedly refused to him the use of "fool" and "long-leaved cuss." He asks for divorce.

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was one of the trio arrested Wednesday night by Captain Quigley for fast driving. She is sixteen years old and incorrigible, as was shown by her father.

## A Glass Company Suits.

Albert Baker, of Chicago, yesterday filed suit in the United States Circuit Court against Edward C. Modes, William C. Modes, the Washington Glass Company and the Modes Glass Company, all of Cleveo, this State, to recover his interest in the above establishments which he claims has been confiscated. In his complaint he alleges that on Oct. 13, 1893, he entered into a contract with E. C. Modes to acquire and establish a bottle factory at Cleveo, which proposition culminated in acquiring the premises and the glass factory formerly owned by the Washington Glass Company. The plant, together with the cash as a consideration for establishing a factory at Cleveo, was valued at \$48,000. He further alleges that he himself was the originator of the entire transaction, and that having trusted a part of the details of the contract to his partner, E. C. Modes, he now finds that Modes has absented several months in Chicago, during which time he stated that he was engaged in soliciting orders for the firm. Modes tried to get out of the interest, and that the Washington Glass Company joined in with Modes in his attempt to get out of the interest. Baker further alleges that Modes at one time in this city perfected a contract with the Washington Glass Company in which he includes himself (Baker) in the terms of the contract, and on another occasion after that, in another contract, Modes tried to get out of the interest. Baker has employed as his attorneys A. C. Harris, of this city, and Charles Hughes, of Chicago.

## THE COURT RECORD.

## Supreme Court Opinions.

10944. Shirk et al. vs. Mitchell et al. Clinton C. C. Reversed. Dalley, J.—A breach of warranty pleaded as a defense in an action for damages must be good upon demurrer, over the character and extent of the warranty and the nature and particulars of the breach. 2. Where the defense pleaded and proved is a want of failure of consideration or a breach of warranty or any such answer averring matters arising subsequent to the execution of the notes sued on, the transaction out of which the notes arose being fair and lawful, the defendant has the onus of the issue to establish that the holder of a note governed by the law merchant took with notice of a defense thereto.

10922. Rogers vs. Venis, Clinton C. C. Affirmed. Coffey, J.—Land owner who reconstitutes in a ditch proceeding on the ground that his land is assessed for too much to aid in the construction of a ditch has the burden of the issue thus tendered.

10785. City of Indianapolis vs. Bieler, Marion C. C. Reversed. Howard, J.—Depots or agencies of nonresident brewers of beer who beer is temporarily stored until disposed of are subject to the laws enacted in this State in the exercise of the police powers as though such beer had been produced in this State. 2. An ordinance is invalid which discriminates in favor of residents of the city or State as against non-residents.

10673. Coons vs. Clauser et al. Montgomery C. C. Reversed. Hackney, J.—Where a contract was made between persons for the vacation of a public highway and public interests were not affected, no official integrity imperiled nor injustice worked amongst others the contract will not be declared void as against public policy.

**Appellate Court Opinions.**  
1151. L. E. & W. Ry. Co. vs. Bowker, Howard C. C. Affirmed. Reinhardt, J.—Ross, J., dissent.—When the objection is to the form of the judgment merely, it must be made in the trial court by a motion to modify, and if the motion is overruled, error must be assigned upon the ruling. A general objection to the judgment is not sufficient. 2. While a court has no power to decree a new trial, it may set aside a judgment rendered in error, and it has power to render a judgment capable of being satisfied by the defendant.

**Superior Court.**  
Room 1—James M. Winters, Judge.  
William H. Corbally vs. Consensus Gas Company, Inc. Cause by contract. Gas Company's damages. On trial by jury. State Equitable Building and Loan Association vs. William H. Corbally, Inc. Cause by contract. Judgment for plaintiff for \$66.66.

Model Fence Company vs. John M. Schumacher, perjury. Dismissed.  
Hensley vs. Fisher vs. W. W. Hubbard, mechanic's lien. Dismissed.

Room 2—J. W. Harper, Judge.  
Leo Fulmer et al. vs. E. L. Kidley, street improvements. Lien, cause dismissed and costs paid.

Charles Jackson et al. vs. Michael Sells et al. Cause by contract. Tried by court. Finding for plaintiff as against Buena Vista, Marshall, assigned.

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